

Notice of Allowability

Application No.

10/008,455

Examiner

Toan C To

Applicant(s)

HIBBERT, KIRK

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--- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment after final filed on April 12, 2005.
2. ☒ The allowed claim(s) is/are 12,13,15-29,32,33,36-40,42-60 and 64-66.
3. ☒ The drawings filed on 12 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Toan To
Patent Examiner
April 26, 2005

DETAILED ACTION

Allowable Subject Matter

1. Claims 12-13, 15-29, 32-33, 36-40, 42-60, 64-66 are allowed.
2. The following is an examiner's statement of reasons for allowance:

With respect to independent claims 12 and 52, the prior art fails to disclose, teach or suggest a vehicle suspension particularly comprising: a first shock absorber having a first main piston, a second shock absorber having a second main piston, an adjustor comprising an adjustor piston disposed at least partially in the adjustor, the adjustor piston moveable between a retracted position an extended position, and moving the adjustor piston adjusts a neutral position of the second main piston of the second shock absorber. These structures in combination with other structures as recited in claims 12 and 52 define over prior art of record.

With respect to independent claim 50, the prior art fails to disclose, teach or suggest a vehicle suspension particularly comprising: a first shock absorbers having a first main pistons, a second shock absorbers comprising a second main piston disposed therein, and a separator piston disposed therein, wherein the separation piston being axially spaced apart from the second main piston and defining second and third hydraulic chambers within the second hydraulic shock absorber. These structures in combination with other structures as recited in claim 50 define over prior art of record.

With respect to independent claim 64, the prior art fails to disclose, teach or suggest a vehicle suspension particularly comprising: a first shock absorbers having a first main pistons, a second shock absorbers comprising a second main piston disposed

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therein, wherein the second shock absorber is a hydraulic shock absorber defining a second hydraulic chambers therein, and a third hydraulic chamber therein adjacent to the second hydraulic chamber; wherein the second hydraulic chamber defines a central portion and a passage portion disposed peripherally to the central portion, the passage portion being in hydraulic communication with the first hydraulic chamber of the first shock absorber, the central portion being in hydraulic communication with the passage. These structures in combination with other structures as recited in claim 64 define over prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan C To whose telephone number is (571) 272-6677. The examiner can normally be reached on Mon-Fri (8:00-5:00).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTo

April 26, 2005

 4/27/05
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600